

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH JOHN FREEMAN,

Defendant.

Case No. **CR-07-06008-LRS-1****CR-08-06087-LRS-1****CRIMINAL MINUTES****DATE: 3/25/09****LOCATION: SPOKANE****SENTENCING HEARING**

Judge LONNY R. SUKO

Laura McClure

Beth Ross

N/A

Debra Clark

Courtroom Deputy**Law Clerk****Interpreter****Court Reporter**

Stephanie J. Lister

Gary Sussman, AUSA District of Oregon

Adrienne Farabee, Deputy Prosecutor Benton County

Plaintiff's Counsel

Carl J. Oreskovich

Andrew Kohlmetz, Defense Counsel District of Oregon

Sylvia Cornish, Benton County Defense Counsel

Defendant's Counsel**Probation Officer:** Brenda Challinor☒ **Open Court**☐ **Chambers**☐ **Telecon**Defendant **present**, in custody of the US Marshal

Defendant's Exhibit 1 (Oregon PSR) marked, admitted, sealed.

The Court ruled on and accepted the PSIR.

Ms. Lister addressed the Court.

Comments presented by: Chris Peal, step-father of the victim; Gayle Peal, mother of the victim; Larry Peal, grandfather of the victim; Kylie Freeman, victim.

Recommendations presented by Mr. Sussman.

Recommendations presented by Mr. Oreskovich.

Defendant Freeman addressed the Court.

Recommendations presented by Ms. Lister.

CR-07-06008-LRS-1**Sentence: 20 years in custody, credit time served****Supervised Release: 3 years****Fine: waived****SPA: \$100.00**

(Continued)

CONVENED: 10:12 AM

ADJOURNED: 11:30 AM

TIME: 1 HR/18 MINUTES

CALEDARED ☐

CR-08-06087-LRS-1

Sentence: Count 1, 20 years in custody, credit time served; consecutive to CR-07-06008-LRS-1

Count 3, 15 years in custody, credit time served; 10 years consecutive to Count 1 and 5 years concurrent with Count 1, CR-08-06087-LRS-1

Supervised Release: 3 years on each count, concurrent with any other count

Fine: waived

SPA: \$200.00

Total Restitution: \$10,856.93

Conditions of Supervised Release in each case: Standard conditions and the following special conditions

- You shall not utilize any electronic communication device except as explicitly allowed by the supervising probation officer;
- You shall submit your person, residence, office, or vehicle to a search, conducted by a U.S. probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You shall warn persons with whom you share a residence that the premises may be subject to search.
- You shall complete a sex offender evaluation, which may include psychological, physiological, and polygraph testing. You shall pay according to your ability and allow the reciprocal release of information between the treatment provider and supervising probation officer.
- You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.
- You shall be prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other forms that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). Neither shall you enter nor frequent any establishment involved in the sex industry, including adult bookstores, massage parlors, and strip bars. You shall not utilize any sex related adult telephone numbers. The supervising probation officer is authorized to monitor compliance in this area by obtaining telephone records.
- You shall live at an approved residence, and shall not change your living situation without advance approval of the supervising probation officer.
- You shall have no contact with the victim in person, by letter or other communication devices, audio or visual devices, or through a third party, unless authorized by the supervising probation officer. You shall not enter the premises or loiter within 1000 feet of the victim's residence or place of employment.
- You shall register as a sex offender, according to the laws of the state in which you reside, are employed, or are attending school. You shall provide verification of compliance with this requirement to the supervising probation officer.
- You shall have no contact with any child under the age of 18, without the presence of an adult and approved in advance by the supervising probation officer. You shall immediately report any unauthorized contact with minor-aged children to the supervising probation officer.

(Continued)

- You shall not reside or loiter within 1000 feet of places where children congregate, which includes playgrounds, primary and secondary schools, city parks, daycare centers, and arcades.
- You shall not be employed in any occupation, business, or profession or participate in any volunteer activity where you have access to children under the age of 18, unless authorized by the supervising probation officer.
- You shall not possess any type of camera or video recording device.
- You shall have no contact with the victim in person, by letter or other communication devices, audio or visual devices, or through a third party, unless authorized by the supervising probation officer. You shall not enter the premises or loiter within 1,000 feet of the victim's residence or place of employment.

Appeal rights waived

Any/All remaining counts dismissed.

Exhibit returned to counsel at close of hearing.